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Attorneys for Defendants

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

EUGENE DIVISION

WILLAMETTE RIVERKEEPER and  
CONSERVATION ANGLER,

Case No. 6:17-cv-00801-MC

Plaintiffs,

JOINT STATUS REPORT AND  
STIPULATION TO STAY CASE

v.

U.S. ARMY CORPS OF ENGINEERS and  
AARON DORF,

Defendants.

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Pursuant to the Court's February 12, 2019 Scheduling Order, ECF 42, Plaintiffs  
Willamette Riverkeeper et al. and Defendants U.S. Army Corps of Engineers et al.  
("Corps") hereby respectfully file this status report.

Defendants represent that the National Marine Fisheries Service ("NMFS")

presently anticipates issuing an Endangered Species Act biological opinion and Magnuson-Stevens Fishery Conservation Management Act essential fish habitat consultation that evaluates that hatchery programs in the Upper Willamette River basin within the next 7-14 days. Defendants also represent that NMFS presently anticipates making all other decisions relating to the hatchery genetic management plans for rainbow trout and summer steelhead prepared by the Corps and the Oregon Department of Fish and Wildlife within the next 7-14 days.

In light of these developments, the parties agree the Court should stay further proceedings in this case until NMFS concludes these consultations and reaches any other decisions relating to the hatchery genetic management plans. Defendants will inform the Court once NMFS concludes the consultations and makes its decisions. Within 10 days of Defendants informing the Court, the parties will submit a joint status report proposing next steps for this case. If the case is not resolved by July 12, 2019, the parties will submit another joint status report to the Court.

Accordingly, the parties stipulate to and hereby respectfully request that the Court enter an order staying proceedings until NMFS concludes its Endangered Species Act consultation, Magnuson-Stevens Fishery Conservation Management Act essential fish habitat consultation, and makes any other decisions relating to the hatchery genetic management plans for rainbow trout and summer steelhead.

Dated: May 13, 2019

Respectfully submitted,

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S. JAY GOVINDAN, Assistant Chief

/s/ Kaitlyn Poirier

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**CERTIFICATE OF SERVICE**

I hereby certify that on May 13, 2019, a true and correct copy of the above document was electronically filed with the Clerk of Court using CM/ECF. Copies of the document will be served upon interested counsel via the Notices of Electronic Filing that are generated by CM/ECF.

/s/ Kaitlyn Poirier

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